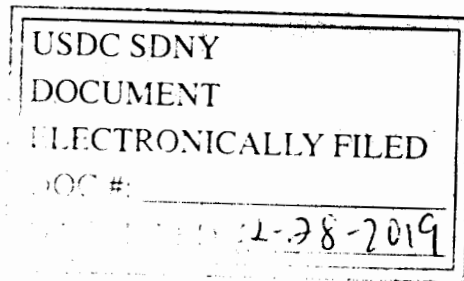


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

-v.-

BILLY RIBEIRO ANDERSON,  
a/k/a "Anderson Albuquerque,"  
a/k/a "AlfabetoVirtual,"

Defendant.

**CONSENT PRELIMINARY  
ORDER OF FORFEITURE AS TO  
SPECIFIC PROPERTY**

18 Cr. 596 (LTS)

WHEREAS, on or about August 16, 2018, BILLY RIBEIRO ANDERSON, a/k/a "Anderson Albuquerque," a/k/a "AlfabetoVirtual" (the "defendant"), was charged in a three-count Information, 18 Cr. 596 (LTS) (the "Information"), with three counts of computer fraud, in violation of Title 18, United States Code, Sections 1030(a)(3), 1030(a)(5)(A), 1030(c)(2)(A), 1030(c)(4)(A)(i)(I) & (V), 1030(c)(4)(B)(i), and 2;

WHEREAS, the Information included a forfeiture allegation as to Counts One through Three, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1030(i), any and all property, real or personal, constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offenses, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Three of the Information that the defendant personally obtained;

WHEREAS, on or about May 10, 2018, members of the Federal Bureau of Investigation seized the following specific property from the defendant's residence at 20360 Anza Avenue in Torrance, California:

- a) A black WD Easy Store portable hard drive S/N WXA1A47K3D2Z with black USB cable;
- b) A black 500GB Hitachi XL500 storage device;
- c) A stack of CD-Rs and DVDs;
- d) A black Apple laptop Model A1181;
- e) A black and orange Gateway desktop computer FX4710-UB003A; and
- f) A black HP Pavilion Elite desktop computer Model e9220y

(collectively, the “Specific Property”);

WHEREAS, on or about October 2, 2018, the defendant pled guilty to Counts One and Three of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Counts One and Three, and agreed to forfeit any and all property, real or personal, constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offenses, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendant personally obtained;

WHEREAS, the defendant consents to the forfeiture of all his right, title and interest in the Specific Property, which constitutes proceeds traceable to the offenses alleged in Counts One and Three of the Information;

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to maintain the Specific Property in its

possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorney Sagar K. Ravi, of counsel, and the defendant, and his counsel, Stanley Greenberg, Esq., that:

1. As a result of the offenses charged in Counts One and Three of the Information, all of the defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853. The defendant agrees that he will not file a claim or a petition for remission or mitigation in any forfeiture proceeding involving the Specific Property and will not assist anyone else in doing so.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the defendant, shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States Marshals Service (or its designee) is authorized to seize the Specific Property and hold the Specific Property in its secure, custody, and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall

publish for at least thirty (30) consecutive days on the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Consent Preliminary Order of Forfeiture as to Specific Property. Any person, other than the defendant in this case, claiming an interest in the Specific Property must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the Specific Property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to Rule 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n) and Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, in which all third-party interests will be addressed.

8. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

9. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

10. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture as to Specific Property to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007.

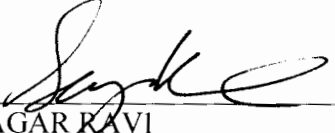
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14. The signature page of this Consent Preliminary Order of Forfeiture may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By:

  
SAGAR RAVI  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Telephone: (212) 637-2195

DATE

2/26/19

BILLY RIBEIRO ANDERSON, Defendant

By:

  
BILLY RIBEIRO ANDERSON

DATE

2/26/19

By:

  
STANLEY GREENBERG, ESQ.

DATE

2/26/19

SO ORDERED:

  
THE HONORABLE LAURA T. SWAIN  
UNITED STATES DISTRICT JUDGE

DATE

2/26/19